UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,407	01/22/2001	Ronald Martin Tanner	56932.000007	7309

				EXAMINER
29315	7590	10/28/2003		BASOM, BLAINE T

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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-24_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 January 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Objections

Claims 7 and 13 are objected to because of the following informalities: Regarding claim

7, the phrase "the method of claim 1 wherein the step of customizing the image *further*

comprises the step" is objected to because the step of customizing the image, as recited in claim

1, comprises no steps. Therefore the use of the word "further" is deemed inappropriate. In

reference to claim 13, the phrase "A system for imaging a device, the system comprising the

steps of:" is objected to. In particular, it is unclear how such a system comprises steps.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No.

6,052,720, which is attributed to Traversat et al. (and hereafter referred to as "Traversat"). In

general, Traversat discloses a method for configuring a plurality of client computers from a

single, remote server computer (see column 2, lines 49-55). Such a method allows a system

administrator to efficiently propagate application changes, upgrades, and new applications to the

plurality of client computers (see column 6, lines 19-31). Regarding the claimed invention,

Traversat discloses that this server obtains and stores configuration information for each client

computer (see column 6, lines 9-15). This configuration information is considered an "image" of

the client computer, as it comprises information relating to the memory, storage, applications,

and other features representing the overall configuration state of the client computer (for

example, see column 8, line 60 – column 9, line 10). Traversat is therefore considered to teach a

method for imaging a device, particularly a client computer. Moreover, a server implementing

such a method is considered a system, like that of claim 13, which is for imaging a device.

In reference to claims 1 and 13, Traversat discloses that the server maintains a "server

schema," which is a tree-like data structure used to store the configuration information for each

client computer on a network (see column 8, lines 37-50, in addition to figure 3). This schema is

considered a "directory," like that of the present application, as it is used to access the

configuration information of the client computers. Moreover, Traversat discloses that this

schema includes a "platform" category (see column 8, lines 51-59). The platform category

particularly maintains the configuration information for each type of client computer on the

network (see column 8, line 55 – column 9, line 10). This configuration information for a client

computer is considered an image for that client computer, as is described in the previous

paragraph. Traversat thus teaches creating an image of the client computer, and placing the

image into a directory. In addition, Traversat teaches a plurality of means to customize this

image to form a customized image, which is then placed on the client computer. In particular,

the configuration information for the particular client computer may be overridden or augmented

by configuration information maintained by a "profile category," a "users category," and a

"group category," of the server schema, whereby these categories respectively store

configuration information for particular uses of the client computer, particular users of the

computer, and particular groups of users of the computer (see column 9, lines 11-67, in addition

to column 10, line 29 – column 11, line 67). Lastly, Traversat discloses that the configuration

data sent to the client computer is produced according to a set of rules, the set of rules

comprising an order by which the above-described categories override each other in terms of

configuration data (see column 4, lines 20-47). This set of rules is considered an "imaging server

policy," as it comprises rules for enabling the server to provide the images to each of the client

computers. Thus in summary, Traversat teaches: creating an imaging server policy wherein the

imaging server policy comprises at least one rule for enabling an image server to provide at least

one image to a client computer; creating an image of the client computer; placing the image of

the client computer into a directory, in particular, into the platform category of a server schema;

customizing the image to form a customized image; and placing the customized image of the

client computer onto the client computer.

In reference to claims 2-6 and 14-18, the above-described profile category maintains

configuration information which further represents the client computer, particularly the use of

the computer (see column 9, lines 27-41). It is understood that a particular client computer may

or may not be associated with such a profile (for example, see column 10, line 59 – column 11,

line 11), and therefore each specific profile in the profile category is considered optional.

Traversat thus teaches creating an optional device object, specifically a profile, wherein the

device has a representation in the directory, i.e. server schema. Furthermore, and specifically

regarding claims 3 and 15, the above-described imaging server policy of Traversat comprises an

order by which the configuration data stored in a category of the server schema overrides the

configuration data presented by the other server schema categories, as is described in the

previous paragraph. Thus this set of rules is associated with the profile category of the server

schema, and also, each device object, i.e. profile, maintained by the profile category.

Specifically regarding claims 4 and 16, at least one image is associated with each profile in the

profile category. This image particularly comprises the application specific data regarding a

specific use of a client computer (see column 9, lines 27-41). As per claims 5 and 17, the image

of the device, as maintained in the above-described platform category, is associated with this

device object, i.e. profile, which is maintained in the profile category, by means of a unique ID

given to the client computer (see column 10, line 57 – column 11, line 11). The image of the

client computer, as maintained by the platform category, is considered a base image of the client

computer. Thus with respect to claims 6 and 18, when customizing the image, which as

described above is done in order to send configuration information to the client computer, a base

image of the computer is stored in the directory, i.e. server schema, wherein at least one

additional image is associated with the base image.

In regard to claims 7 and 19, customizing the image of each client computer comprises

overriding or adding to the configuration information of the platform category by configuration

information maintained by the profile category, users category, and group category of the server

schema, as is described above. This configuration information maintained in each server schema

category is understood to be maintained in a file set, as the categories enable the server to

distinguish one unit of configuration information from another. Therefore, customizing the

image comprises the step of defining one or more file sets wherein the file sets are inserted into the image.

With respect to claims 8 and 20, the images maintained by the above-described profile category, users category, and group category of the server schema each comprise application configuration information regarding particular users or groups of users for the client computer (see column 9, lines 27-67). The profile category, users category, and group category therefore comprise application images associated with one or more user characteristics. As is described above, customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category by configuration information maintained by this profile category, users category, and group category of the server schema. Consequently, customizing the image comprises the step of inserting one or more application images associated with one or more user characteristics into the image.

Referring to claims 9 and 21, a client computer is a microcomputer or terminal connected to a network, as is known in the art. A client computer may thus be a workstation. Consequently, the above-described method of Traversat, which is for configuring a plurality of such client computers, is applicable to workstations as well.

Concerning claims 10-11 and 22-23, Traversat teaches creating an optional device object, which is maintained as a profile in the profile category of the server schema, as is described above in the rejection for claims 2-6. Customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category by this profile maintained by the profile category, in addition to configuration information maintained by the users and group categories of the server schema, as is described above. In other words,

customizing the image of the device comprises directly associating the image of the device with

a profile, i.e. device object. In particular, this customization is done according to the above-

described imaging server policy of Traversat, which comprises an order by which the

configuration data stored in a category of the server schema overrides the configuration data

presented by the other server schema categories, as is described above. It is therefore understood

that this step of associating the image of the client computer to a profile in the directory

comprises establishing a relationship with such a policy in the directory. Furthermore, and

specifically regarding claims 11 and 23, it is understood that each profile in the profile category

of the server schema is used at least one, or in other words, is associated with at least one image

in the platform category. Since the profile represents the use of such a client computer, such as

the department within a company for which the client computer is used (see column 9, lines 27-

41), it is understood that a single profile may also be associated with more than one client

computer; for example, more than one client computer may be used in a particular department. It

is thus understood that when directly associating an image with a profile, i.e. device object, at

least one specified image is applied to the client computer regardless of rules specified in the

imaging server policy.

As per claims 12 and 24, Traversat discloses one or more rules, which are based on the

hardware characteristics of the client computer, and wherein an image associated with a

matching rule is applied to the client computer. In particular, a rule exists whereby an image is

applied to the client computer if the hardware of the client computer matches that represented in

the platform category of the server schema (for example, see column 10, lines 57-67).
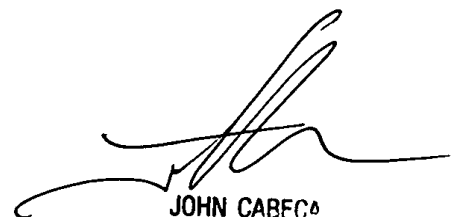
Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. The applicant is required under 37 C.F.R. §1.111(C) to

consider these references fully when responding to this action. The Rodriguez et al. U.S. Patent

cited therein presents a method for installing new applications on a client computer, wherein

doing so, an image of the client computer is received at a server computer. The Blumenstock

U.S. Patent cited therein presents a method for operating a "programmable controller," wherein

the image of the programmable controller is stored in a server. Lastly, the Kirouac et al. U.S.

Patent cited therein discloses a method for updating the software used at remote locations,

wherein an image of this software is maintained at a central computer system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The

examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 305-3900.

btb

JOHN CABECA
SUPERVISORY ⌐⌐ ⌐ ⌐⌐⌐
TECHNOLOGY ⌐⌐⌐⌐⌐⌐ ⌐⌐⌐